

UTAH STATE OFFICE OF EDUCATION
LEGISLATIVE TRACKING SHEET
February 19, 2010

2010 EDUCATION-RELATED BILLS

KEY: S = Support
O = Oppose
N = No Position
C = Concept
U = Unnecessary

H = Hold for Further Study
I = Recommended Interim Study
W = Watch
LI = Local Issues
W/C = With Comments

STATUS KEY: H = House
S = Senate
C = Standing Committee
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L = Legislative Research and General Counsel
GS = Governor Signed

D = Docket
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Bill #	Title	Sponsor	Description	*Status	USBE	USBA/ USSA	PTA	UEA	UAESP	UASSP	USEA
<u>HB 1</u>	Minimum School Program Base Budget	M. Newbold	This bill appropriates state and local funds for the Minimum School Program for fiscal year 2010-11; appropriates \$22,049,700 to the State Board of Education for fiscal year 2010-11 for school building aid programs for school districts; establishes the value of the weighted pupil unit at \$2,487 for fiscal year 2010-11; establishes the estimated minimum basic tax rate at .001513 for fiscal year 2010-11. This bill appropriates: as an ongoing appropriation, the following Minimum School Program monies: \$1,990,547,523 from the Uniform School Fund for fiscal year 2010-11; and \$20,000,000 from the Uniform School Fund Restricted - Interest and Dividends Account for fiscal year 2010-11; and as an ongoing appropriation, \$22,049,700 from the Uniform School Fund for school building aid programs for fiscal year 2010-11. This bill takes effect on July 1, 2010.	HR							
<u>1SHB 1</u>	Minimum School Program Base Budget	M. Newbold	This bill appropriates state and local funds for the Minimum School Program for fiscal year 2010-11; appropriates \$22,049,700 to the State Board of Education for fiscal year 2010-11 for school building aid programs for school districts; establishes the value of the weighted pupil unit at \$2,487 for fiscal year 2010-11; establishes the estimated minimum basic tax rate at .001513 for fiscal year 2010-11; provides that if monies appropriated to charter schools to replace local property taxes are less than the amount prescribed by a statutory funding formula, monies shall be allocated among charter schools in proportion to each charter school's share of the total enrollment in charter schools; and makes technical amendments. This bill appropriates as an ongoing appropriation, the following Minimum School Program monies: \$1,990,547,523 from the Uniform School Fund for fiscal year 2010-11; and \$20,000,000 from the Uniform School Fund Restricted - Interest and Dividends Account for fiscal year 2010-11; and as an ongoing appropriation, \$22,049,700 from the Uniform School Fund for school building aid programs for fiscal year 2010-11. This bill takes effect on July 1, 2010.	PHS							
<u>HB 4</u>	Current School Year Supplemental Minimum School Program Budget Adjustments	M. Newbold	This bill modifies funding for the Minimum School Program in fiscal year 2009-10 as follows: increases funding for educator salary adjustments, the state-supported voted leeway program, and the state-supported board leeway program; and reduces funding for Social Security and retirement. This bill makes appropriations to the Uniform School Fund for fiscal year 2009-10 only, and reduces appropriations previously made from the Uniform School Fund for fiscal year 2009-10 only, resulting in a net appropriation of \$0.	PHS							
<u>HB 21</u>	Expungement Revisions	J. Fisher	This bill creates a specific definition of expungement; sets out the steps a petitioner must take to obtain an expungement; specifies what cannot be expunged; allows the Bureau of Criminal Identification to charge application and issuance fees; requires the bureau to expedite the eligibility process for a person who is acquitted; and changes how agencies handle expunged records.	PHS							
<u>HB 27</u>	Per Diem and Travel Expense Modifications	C. Frank	This bill replaces language used to describe per diem and travel expenses for members of boards, commissions, councils, and committees with standardized language.	PHS							
<u>HB 29</u>	School District Division Amendments	L. Black	This bill requires the election, at the next general election following voter approval of the proposal to create a new school district, of: the school board members for the existing school district whose terms are expiring; all members to the school board of the new school district; and all members to the school board of the remaining school district; modifies the effective date for the new school district; and modifies certain provisions relating to the allocation of school district property.	PHS	S	H		S		S	S
<u>HB 42</u>	School District Employees - Career Status Requirements	R. Menlove	This bill modifies the Utah Orderly School Termination Procedures Act regarding requirements for school district employees to obtain career status to allow a local school board to determine the number of years, within a range of three to five years, a provisional employee must work to obtain career status.	HC		S					
<u>1SHB 42</u>	School District Employees - Career Status Requirements	R. Menlove	This bill allows a school district to extend the period of time a provisional employee must work to obtain career status.	PHS	S	S		U		S	U

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HB 71	Nicotine Product Restrictions	P. Ray	This bill amends provisions of the Uniform Driver License Act, provisions relating to the state system of public education, the Utah Criminal Code, and the Utah Code of Criminal Procedure to place restrictions on the provision, obtaining, and possession of a nicotine product and to enforce these restrictions.	HC							
1SHB 71	Nicotine Product and Flavored Smokeless Tobacco Restrictions	P. Ray	This bill amends provisions of the Uniform Driver License Act, provisions relating to the state system of public education, the Utah Criminal Code, and the Utah Code of Criminal Procedure to place restrictions on the provision, obtaining, and possession of a nicotine product, or a flavored tobacco product, and to enforce these restrictions.	HC							
2SHB 71	Nicotine Product Restrictions		This bill defines terms; makes it a class A misdemeanor to knowingly acquire, use, display, or transfer a false or altered driver license certificate or identification card to procure a nicotine product; provides that the State Board of Education may, and local boards of education and governing boards of charter schools shall, adopt rules that prohibit the illicit use, possession, or distribution of a nicotine product; subject to certain exceptions, prohibits, and provides penalties for, the provision, obtaining, or possession of a nicotine product; addresses advertising requirements relating to a nicotine product; and makes technical changes.	H		S					
3SHB 71	Nicotine Product Restrictions	P. Ray	This bill defines terms; makes it a class A misdemeanor to knowingly acquire, use, display, or transfer a false or altered driver license certificate or identification card to procure a nicotine product; provides that the State Board of Education may, and local boards of education and governing boards of charter schools shall, adopt rules that prohibit the illicit use, possession, or distribution of a nicotine product; subject to certain exceptions, prohibits, and provides penalties for, the provision, obtaining, or possession of a nicotine product; describes when sale of a nicotine product is required to be face-to-face and provides criminal penalties for violation of those requirements; addresses enforcement of, and investigation of violations of, the provisions of this bill; describes when free distribution of a nicotine product is prohibited and provides criminal penalties for violation of those prohibitions; and makes technical changes. This bill coordinates with H.B. 88, Electronic Cigarette Restrictions, by providing technical amendments.	S			S				
HB 72	Utah School Seismic Hazard Inventory	L. Wiley	This bill enacts the School Seismic Safety Act which: requires a school district or charter school to conduct a seismic evaluation of each facility used by the school district or charter school using specified standards; and directs the State Board of Education to adopt rules. This bill appropriates: for fiscal year 2010-11 only, \$500,000 from the General Fund to the State Board of Education. This bill takes effect on July 1, 2010.	HC	H	H	S	S			SC
HB 81	School Employee Criminal Background Check	S. Allen	This bill allows a school district or charter school to require an employee to periodically submit to a criminal background check in accordance with rules of the State Board of Education or policies of the local school board or charter school governing board; provides that a school district, charter school, or private school may require an applicant or employee to pay for the costs of a criminal background check; allows the State Board of Education to require an educator to submit to a criminal background check where reasonable cause exists; and makes technical amendments.	S	S	S		O		S	O
HB 83	Public Employees' Retirement - Spousal Election	C. Wallis	This bill requires a person who is selecting a retirement allowance option under the Public Employees' Contributory or Noncontributory Retirement Act to obtain written consent for the selected option from the person's spouse, as applicable with certain exceptions; requires a person who is selecting a partial lump-sum payment option at the time of application for retirement to obtain written consent for the selected option from the person's spouse, as applicable with certain exceptions; and makes technical changes.	HC				S			
1SHB 83	Public Employees' Retirement - Spousal Election	C. Wallis	This bill requires the Utah State Retirement Office to provide written notice to a retiree's spouse of the retirement allowance option election made by the retiree under the Public Employees' Contributory or Noncontributory Retirement Act if there is a spouse of the retiree on file with the office.	H		S					
HB 88	Electronic Cigarette Restrictions	R. Menlove	This bill defines terms; makes it a class A misdemeanor to knowingly acquire, use, display, or transfer a false or altered driver license certificate or identification card to procure an electronic cigarette; provides that the State Board of Education may, and local boards of education and governing boards of charter schools shall, adopt rules that prohibit the illicit use, possession, or distribution of an electronic cigarette; and describes when free distribution of an electronic cigarette is prohibited; and provides criminal penalties for violation of those prohibitions.	HCC		S	S	S		S	

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HB 90	Income Tax Amendments	B. King	This bill creates income tax brackets; and increases individual income tax rates on taxpayers with state taxable income above certain levels. This bill takes effect for a taxable year beginning on or after January 1, 2011.	HC				S			
HB 99	Background Checks for School Sports Officials	L. Black	This bill requires an individual to submit to a background check before becoming certified as an official; requires an official to pay the cost of a background check; provides procedures to appeal; and with certain exceptions, prohibits individuals who have not had a background check as part of their certification process from officiating at secondary school athletic competitions.	HC	U	N				U	
HB 103	Reduced Speed School Zone Amendments	S. Sandstrom	This bill provides that notwithstanding any contrary rule made by the Department of Transportation, a local highway authority may establish a reduced speed school zone at a signalized intersection for a highway under its jurisdiction.	S		S	S			S	
HB 105	Public School Employee Auditory Protection Requirements	L. Black	This bill requires a local school board or charter school governing board, in consultation with the Division of Occupational Safety and Health, to set safety standards for employees exposed to certain levels of sound; and provides employees at risk of hearing damage with a minimum level of hearing protection.	FHC		U					
HB 117	Public Education Capital Outlay Act	M. Brown	This bill modifies the Capital Outlay Foundation Program by: eliminating base funding except for school districts with fewer than 1,000 pupils in average daily membership; setting the base tax effort rate at the average of the highest school district's capital and debt service levies and the statewide average of school districts' capital and debt service levies; and directing the State Board of Education to determine a school district's allocation of funds under the program using data from the fiscal year two years prior to the fiscal year the school district receives the allocation; modifies the fiscal year of the data that is used to determine a school district's allocation of funds under the Enrollment Growth Program; and makes technical amendments.	HC		S					
HB 127	Reproductive Health Education Amendments	L. Hemingway	This bill directs the State Board of Education to: establish curriculum requirements that include instruction in human development, healthy relationships, and reproductive health, including a general discussion of contraception with its benefits and limitations; and select instructional materials for use in a general discussion of contraception with its benefits and limitations; imposes restrictions relating to health instruction; requires that instructional materials for health instruction provide opportunities for interaction between a student and the student's parent or guardian; and makes technical amendments.	HR		S	SC	SC			
HB 129	Amendments to Education Financing	M. Newbold	This bill repeals the authority of school districts to levy certain property taxes; sets the statewide minimum basic tax rate at a fixed rate beginning in 2011; requires the Legislature to increase the value of the weighted pupil unit for purposes of determining school districts' income tax funding by an amount equal to the increased amount of revenue generated statewide by the minimum basic tax rate from the prior year; creates a board local discretionary levy and a capital discretionary levy for school districts; sets the tax rates for the board local discretionary levy and the capital discretionary levy for the first taxable year; provides procedures for setting a school district's certified tax rate after the first taxable year; adjusts a school district's certified tax rate due to the repeal or amendment of the property taxing authority of the school district; defines terms; and makes technical changes. This bill takes effect on January 1, 2011.	HC		O					
HB 134	Education Donation Tax Credit	E. Vickers	This bill creates a nonrefundable tax credit for certain contributions made to an institution of higher education or entity within the state system of public education; provides that the tax credit is subject to apportionment for a nonresident or part-year resident individual or a nonresident estate or trust; establishes administration procedures; grants rulemaking authority to the State Board of Education and the State Board of Regents; and makes technical changes. This bill takes effect for a taxable year beginning on or after January 1, 2011.	HR							
HB 137	Public School Funding	W. Harper	This bill repeals the authority of school districts to levy certain property taxes; creates a board local discretionary levy and a capital discretionary levy for school districts; sets the tax rates for a board local discretionary levy and a capital discretionary levy for the first taxable year; provides that in setting the tax rate for a board local discretionary levy in the first year, the amount of tax revenue that may be generated is reduced by the amount of sales and use tax revenue the school district receives; prohibits a fiscal year taxing entity from imposing a property tax rate higher than the fiscal year taxing entity's certified tax rate for taxable years beginning on or after January 1, 2010, and ending on or before December 1, 2011; prohibits a calendar year taxing entity from imposing a property tax rate higher than the calendar year taxing entity's certified tax rate for the taxable year beginning on January 1, 2011, and ending on December 31, 2011; modifies the distribution of revenue from uniform fees on certain property; increases the sales and use tax by 0.1%; dedicates the revenue generated by a 0.1% sales and use tax to the Uniform School Fund; defines terms; and makes technical changes.	HR		O					

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HB 138	Hazing Penalties	C. Moss	This bill provides a penalty for a charge of hazing when an alcoholic product, drug, or other substance is involved; and makes technical changes.	H		N					
HB 143	Eminent Domain Authority	C. Herrod	This bill authorizes the state to exercise eminent domain authority on property possessed by the federal government unless the property is owned by the federal government in accordance with the United States Constitution Article I, Section 8, Clause 17.	HC							
HB 177	Public Employees' Health Care	D. Litvack	This bill defines the term "adult designee"; and extends health insurance coverage for state employees to include an adult designee.	HR							
HB 178	Bureau of Criminal Identification Fee Amendments	E. Hutchings	This bill adds an application fee for a certificate of eligibility for expungement of \$25; and changes the Bureau of Criminal Identification fees for: fingerprint cards from \$15 to \$20; name check from \$10 to \$15; issuance of a certificate of eligibility for expungement from \$25 to \$56 unless exempted in Subsection 77-18-10(6); right of access service and an individual's criminal history report from \$10 to \$15; and criminal history background check when purchasing a firearm from \$7.50 to \$10. This bill coordinates with H.B. 21, Expungement Revisions, by providing technical amendments.	HC							
ISHB 178	Bureau of Criminal Identification Fee Amendments	E. Hutchings	This bill adds an application fee for a certificate of eligibility for expungement of \$25; and changes the Bureau of Criminal Identification fees for: fingerprint cards from \$15 to \$20; name check from \$10 to \$15; issuance of a certificate of eligibility for expungement from \$25 to \$56 unless exempted in Subsection 77-18-10(6); and right of access service and an individual's criminal history report from \$10 to \$15. This bill coordinates with H.B. 21, Expungement Revisions, by providing technical amendments.	PH							
HB 194	Grants for Math Teacher Training	B. Last	This bill appropriates money to the State Board of Education to award grants to institutions of higher education or nonprofit education organizations for math teacher training programs; specifies the qualifications of individuals eligible to receive the training; and requires the State Board of Education to make rules establishing criteria for awarding grants for math teacher training programs. This bill appropriates as an ongoing appropriation subject to future budget constraints, \$250,000 from the Uniform School Fund for fiscal year 2010-11 to the State Board of Education.	HR	O W/C	O				O	
HB 205	Impact Fee Amendments	S. Sandstrom	This bill requires that an impact fee enactment allow, in certain circumstances, a developer to receive a credit against or proportionate reimbursement of an impact fee if the developer is a school district or charter school; requires that a local political subdivision or private entity imposing an impact fee on a school district or charter school include a provision in the impact fee enactment that requires credit against the impact fee for a facility that is not for the exclusive use of the school district or charter school, regardless of whether the facility is identified as a system improvement in a capital facilities plan; prohibits a local political subdivision from imposing an impact fee on a school district or charter school for: a storm water drainage system or a storm water collection system that is enclosed on school property; with certain exceptions, roadway facilities; or development activity for construction of a replacement school if the replacement school is built for a student capacity that is less than or equal to a 10% increase of the student capacity of the old school; and makes technical corrections.	HC		S					
ISHB 205	Impact Fee Amendments	S. Sandstrom	This bill requires that an impact fee enactment allow, in certain circumstances, a developer to receive a credit against or proportionate reimbursement of an impact fee, including a school district or charter school; amends requirements for a capital facilities plan; amends provisions relating to an impact fee enactment; amends provisions relating to impact fees; and makes technical corrections.	SC		S					
HB 215	Amendments to Public Employees' Benefit and Insurance Program Act - Risk Pools	K. Garn	This bill changes the number of eligible full-time enrollees an institution of higher education must have in order to participate in the program's risk pools.	SR							
HB 217	Income Tax Revisions	C. Wimmer	This bill reduces tax rates under the Corporate Franchise and Income Taxes chapter and the Individual Income Tax Act from 5% to 4.75%; and makes technical and conforming changes. This bill takes effect for a taxable year beginning on or after January 1, 2011.	HR		O		O			

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HB 219	Delinquent Property Tax Amendments	G. Froerer	This bill increases the penalty imposed on delinquent property taxes from 2% to 4%; provides that the penalty is only 2.5% if the delinquent property taxes and the penalty are paid by a specified date; provides that the interest rate that attaches to delinquent taxes and the penalty be: no less than 7%; and no more than 10%; and makes technical changes. This bill has retrospective operation to January 1, 2010.	HC		S					
1SHB 219	Delinquent Property Tax Amendments	G. Froerer	This bill increases the penalty imposed on delinquent property taxes from 2% to 2.5%; provides that the penalty is only 1% if the delinquent property taxes and the penalty are paid by a specified date; provides that the interest rate that attaches to delinquent taxes and the penalty be: no less than 7%; and no more than 10%; and makes technical changes. This bill takes effect July 1, 2010.	HCC		S				S	
HB 233	Retirement Office Amendments	D. Ipson	This bill provides that only two of the four appointed Utah State Retirement Board members, with experience in investments or banking, can be appointed every two years; provides that any defined contribution balance based on employer contributions not just service credit must be forfeited when service credit is purchased; provides that purchase of service credit made on or after July 1, 2010, shall be made in accordance with rules in effect at the time the purchase is completed, and the cost of the purchase will not be recalculated at the time of retirement; provides that payments made for a salary protection program for a disabled employee shall be paid over the period of the disability and shall not include settlement or lump sum payments; clarifies that a member may not be employed on the retirement date by any other participating employer in the same system from which the member is retiring; provides that after the date of disability, cost-of-living increases to any offsetting benefits may not be considered in calculating monthly disability benefits; and provides that monthly disability benefits shall cease when the eligible employee dies.	SC		S					H
HB 246	Retirement Benefits for Charter School Employees	C. Watkins	This bill provides that a member, a participating employer, or a member and a participating employer jointly may purchase service credit equal to the period of the member's employment in a charter school located within the state if the member forfeits certain retirement benefits under any other retirement system or plan for the period of employment to be purchased; and makes technical changes.	H		N	S				
HB 259	Property Tax Amendments	W. Harper	This bill modifies the time at which certain qualifications for a county assessor in a county of the first, second, or third class are determined; expands a requirement to conduct an annual update of property values using a mass appraisal system so that the requirement applies to assessors in counties of the third, fourth, fifth, and sixth class in addition to county assessors in first and second class counties; modifies the time within which a taxpayer may file an appeal relating to the value of personal property; modifies the amounts associated with the homestead exemption; and prohibits a person from claiming a homestead exemption for property acquired as a result of criminal activity.	HC		S					
1SHB 259	Property Tax Amendments	W. Harper	This bill moves the authority to fill a vacancy in the office of county assessor from the county executive to the county legislative body; modifies the time at which certain qualifications for a county assessor in a county of the first, second, or third class are determined; expands a requirement to conduct an annual update of property values using a mass appraisal system so that the requirement applies to assessors in counties of the third, fourth, fifth, and sixth class in addition to county assessors in first and second class counties; modifies the distribution of certain funds from the multicounty assessing and collecting levy; modifies a provision relating to a property tax notice that the county auditor is required to provide; modifies the time within which a taxpayer may file an appeal relating to the value of personal property; prohibits a person from claiming a homestead exemption for property acquired as a result of criminal activity; and modifies provisions relating to the multicounty assessing and collecting levy.	H		S					
2SHB 259	Property Tax Amendments	W. Harper	This bill moves the authority to fill a vacancy in the office of county assessor from the county executive to the county legislative body; modifies the time at which certain qualifications for a county assessor in a county of the first, second, or third class are determined; expands a requirement to conduct an annual update of property values using a mass appraisal system so that the requirement applies to assessors in counties of the third, fourth, fifth, and sixth class in addition to county assessors in first and second class counties; modifies the distribution of certain funds from the multicounty assessing and collecting levy; modifies a provision relating to a property tax notice that the county auditor is required to provide; modifies the time within which a taxpayer may file an appeal relating to the value of personal property; prohibits a person from claiming a homestead exemption for property acquired as a result of criminal activity; and modifies provisions relating to the multicounty assessing and collecting levy.	SR							

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<u>HB 268</u>	Public School Innovations	K. Grover	This bill specifies the purposes of the Innovation Schools Act; defines terms; allows a school or group of schools in a school district to create an innovation plan and adopt the plan upon approval by the local school board and State Board of Education; specifies suggested innovations; encourages a school and local school board to seek and accept public and private grants, gifts, and donations to implement an innovation plan; provides that a school or group of schools that implements an innovation plan: is exempt from certain laws; and may seek removal from a collective bargaining agreement; requires the State Board of Education to report on schools implementing innovation plans; and makes technical amendments.	HC	O	SC				W	O
<u>HB 282</u>	Local Government Amendments	S. Sandstrom	This bill amends the definition of "educational facility"; and makes technical corrections.	HC		S					
<u>ISHB 282</u>	Local Government Amendments	S. Sandstrom	This bill amends the definition of "educational facility"; and makes technical corrections.	H							
<u>HB 292</u>	Equalization of Funding for Divided School Districts	J. Bird	This bill creates the divided school district levy; requires equalization of school property taxes at a certain amount per student when a school district is divided; sets the rate for the divided school district levy; requires the state superintendent to report certain information; requires county officials to perform certain functions; modifies the notice and public hearing requirements for property tax increases related to the equalization of school property taxes in a divided school district; defines terms; and makes technical changes. This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.	HC		N W/C					
<u>HB 295</u>	Expanded Uses of School District Property Tax Revenue	P. Painter	This bill allows a local school board to use revenue collected from certain property tax levies for educators' salaries for fiscal year 2010-11 only; and makes technical changes.	HR		S		S		S	
<u>HB 323</u>	School and Institutional Trust Lands Amendments	K. Sumsion	This bill creates a separate line item in the attorney general's budget for certain legal purposes; appropriates money from the Land Grant Management Fund to fund the legal challenge of certain actions; and makes technical changes. This bill appropriates as an ongoing appropriation subject to future budget constraints, \$1,000,000 from the Land Grant Management Fund for the fiscal year 2010-11 to the Office of the Attorney General.	HC		H				O	
<u>HB 333</u>	Reemployed Retiree Contribution Amendments	D. Litvack	This bill defines certain terms; prohibits employer contributions to a qualified defined contribution plan made by a participating employer who hires a retiree, if the retiree begins the reemployment on or after July 1, 2010; allows the contributions made by a participating employer who hires a retiree to continue and to be credited to the retiree-designated qualified defined contribution plan, if the retiree began the reemployment before July 1, 2010; and makes technical changes. This bill takes effect on July 1, 2010.	HC				S			
<u>HB 350</u>	Club Teams in Public Schools	S. Sandstrom	This bill defines the term "school facilities use" to include access to: a school building, premises, or playing field; or a limited public forum; allows a school to set the number of hours per month noncurricular clubs may have school facilities use, provided all noncurricular clubs are treated equally; and makes technical amendments.	HR							
<u>HB 355</u>	Legal Guardianship Amendments	S. Sandstrom	This bill increases the burden of proof that a school district must demonstrate to object to a court appointment of a guardian for a minor if certain evidence is met; requires attorney fees to be paid in certain circumstances; and makes technical changes.	HC	U						
<u>HB 367</u>	Guardianship Residency Requirements	L. Black	This bill requires an individual seeking guardianship to provide evidence relating to the minor's school attendance and intention of becoming a permanent state resident; requires a court to: deny guardianship in certain circumstances; and conduct an evidentiary hearing in certain circumstances; permits a school district to object to the appointment of a guardian and conduct discovery in certain circumstances; and makes technical changes.	HR	U						
<u>HB 393</u>	Advertisements on School Buses	J. Bird	This bill allows a local school board or charter school governing board to sell advertising space on the exterior of a school bus; requires a local school board or charter school governing board to adopt guidelines for the type of advertising permitted on a school bus; prohibits certain types of advertising on a school bus; and requires the Department of Transportation to make rules governing the placement and size of an advertisement on a school bus.	HR	O						

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<u>HJR 3</u>	Joint Resolution on Teacher Performance Pay	M. Poulson	This resolution recommends that the goal of any future efforts to develop performance pay or differentiated pay plans for public school teachers should be to ensure that there is a quality teacher in every classroom; and recommends that any proposed performance pay or differentiated pay plan for public school teachers should promote student achievement and support quality instruction, be adequately funded by a sustainable revenue source, promote collaboration, be flexible and responsive to local needs, use fair and objective criteria, be open to all who are eligible, and be in alignment with existing programs and school improvement plans.	SC	S	S	S	S		S	O
<u>HJR 5</u>	Joint Resolution on Clean Air	C. Moss	This resolution encourages Utahns to eliminate unnecessary idling of their motor vehicles to protect public health and the environment, reduce air pollution, conserve fuel, and protect motor vehicle performance.	SC		S					
<u>HJR 20</u>	Green Schools Joint Resolution	M. Wheatley	This joint resolution of the Legislature encourages the Utah State Board of Education and Utah's school districts to consider ways to establish green schools in the state of Utah.	H		LI	S				
<u>HJR 25</u>	Joint Resolution Regarding School Fees and Supplies	K. Powell	This resolution proposes to amend the Utah Constitution to: modify the nature of the secondary school fees that the Legislature may authorize to be imposed; authorize the Legislature to allow: a requirement that elementary and secondary school students provide their own school supplies or pay a fee for those supplies; and the granting of waivers for fees or a requirement to provide school supplies, in the case of financial hardship; and . make technical changes. This resolution directs the lieutenant governor to submit this proposal to voters. This resolution provides a contingent effective date of January 1, 2011 for this proposal.	HC		H				O	
<u>SB 1</u>	State Agency and Higher Education Base Budget	L. Hillyard	This bill provides appropriations for the use and support of certain state agencies; provides appropriations for the use and support of certain institutions of higher education; provides appropriations for other purposes as described; approves employment levels for internal service funds; approves capital acquisition amounts for internal service funds. This bill appropriates for fiscal year 2011: \$1,801,862,650 from the General Fund; \$122,256,600 from the Uniform School Fund; \$343,918,600 from the Education Fund; \$2,134,853,823 as a transfer from the Education Fund to the Uniform School Fund; \$6,461,690,000 from various sources as detailed in this bill. This bill takes effect on July 1, 2010.	PSH							
<u>SB 3</u>	Current Fiscal Year Supplemental Appropriations	L. Hillyard	This bill provides budget increases and decreases for the use and support of certain state agencies; provides budget increases and decreases for the use and support of certain institutions of higher education; provides budget increases and decreases for other purposes as described. This bill appropriates for fiscal year 2010: (\$33,216,100) from the General Fund; (\$2,397,200) from the Uniform School Fund; \$701,200 from the Education Fund; (\$2,397,200) as a transfer from the Education Fund to the Uniform School Fund; \$135,916,600 from various sources as detailed in this bill. This bill takes effect immediately.	SR							
<u>1SSB 3</u>	Current Fiscal Year Supplemental Appropriations	L. Hillyard	This bill provides budget increases and decreases for the use and support of certain state agencies; provides budget increases and decreases for the use and support of certain institutions of higher education; provides budget increases and decreases for other purposes as described. This bill appropriates for fiscal year 2010: (\$33,216,100) from the General Fund; (\$2,397,200) from the Uniform School Fund; \$701,200 from the Education Fund; (\$2,397,200) as a transfer from the Education Fund to the Uniform School Fund; \$135,916,600 from various sources as detailed in this bill. This bill takes effect immediately.	PSH							
<u>SB 16</u>	Utah Performance Assessment System for Students (U-pass) Amendments	H. Stephenson	This bill provides for the statewide assessment of students in grades 2-12 in basic skills courses using criterion-referenced tests or online computer adaptive tests, as determined by the State Board of Education; eliminates a cap on the number of school districts and charter schools that may participate in a pilot assessment system; extends the pilot assessment systems through July 1, 2015; eliminates the requirement to administer a statewide norm-referenced test in grades 3, 5, and 8; and makes technical amendments.	PSH	S	S				S	
<u>SB 37</u>	Impact Fee Revisions	W. Niederhauser	This bill defines terms; amends public notice requirements; directs a local government entity to refund an impact fee if a court ruling is consistent with an advisory opinion issued by the Office of Property Rights Ombudsman on the impact fee; and makes technical corrections.	PSH							
<u>SB 42</u>	Retirement Eligibility Modifications	D. Liljenquist	This bill provides, through a graduated scale, a zero to five year increase in the number of years of service credit a member must accrue to retire at any age based on years of service credit accrued on July 1, 2011 from the current: 30 years to 35 years in the Public Employees' Contributory and Noncontributory Retirement Systems; provides that, in the Public Employees' Contributory and Noncontributory Retirement Systems, if a retiree is less than 65 years of age and has not accrued the years of service credit needed to retire at any age, and the allowance is reduced by the full actuarial amount instead of 3% for each year of retirement from age 60 to age 65. This bill takes effect on July 1, 2011.	SR		H		O		O	O

2010 EDUCATION-RELATED BILLS

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<u>SB 43</u>	Post-retirement Employment Amendments	D. Liljenquist	This bill defines terms; repeals a requirement that a participating employer who hires a retiree contribute the same percentage of a retiree's salary that the participating employer would have been required to contribute if the retiree were an active member of the retirement system; requires a participating employer who hires a retiree to contribute the amortization rate for the reemployed retiree to the retirement system that would have covered the retiree in the new position; provides that a retiree from the Utah State Retirement System who returns to work with a participating employer on or after July 1, 2010 is returned to active member status to earn additional service credit but: the retiree's allowance is canceled; and the employer's retirement contribution is made to the retirement system on behalf of the retiree for additional service credit; provides that a retiree who begins reemployment on a part-time basis with any participating employer on or after July 1, 2010 is subject to certain earnings limitations; and repeals the maximum allowance that a member may receive for a member who initially retires on or after July 1, 2010, in the various systems. This bill takes effect on July 1, 2010.	SC	SC	H		O		O	O
<u>1SSB 43</u>	Post-retirement Employment Amendments	D. Liljenquist	This bill defines certain terms; repeals a requirement that a participating employer who hires a retiree contribute the same percentage of a retiree's salary that the participating employer would have been required to contribute if the retiree were an active member of the retirement system; provides that a participating employer who hires a retiree before July 1, 2010: may not contribute an amount that exceeds the normal cost rate to a qualified defined contribution plan; provides that a retiree from the Utah State Retirement System who initially returns to work with a participating employer on or after July 1, 2010, is returned to active member status to earn additional service credit but: the retiree's allowance is cancelled; and the employer's retirement contribution is made to the retirement system on behalf of the retiree for additional service credit; provides exceptions to the allowance cancellation for reemployed retirees who initially return to work with a participating employer on or after July 1, 2010, if the retirees' reemployment status: is seasonal, temporary, or part-time and the employment does not exceed 750 hours of work per calendar year; and does not begin sooner than six months after the retirement date, if the reemployment is with the same agency; and makes technical changes.	S		H					
<u>SB 49</u>	Vending Machines in Public Schools	P. Jones	This bill provides a list of allowed beverages that may be sold in vending machines at elementary and secondary schools; and establishes compliance dates.	SR		H				U	S
<u>1SSB 49</u>	Vending Machines in Public Schools	P. Jones	This bill provides a list of allowed beverages and non-beverage items that may be sold in vending machines at public schools; and establishes compliance dates.	SC	S		SC				
<u>2SSB 49</u>	Vending Machines in Public Schools	P. Jones	This bill requires the State Board of Education to establish rules that set standards related to the beverage and non-beverage items that may be sold in vending machines at public schools; allows a local school board to choose different vending machine content standards from those suggested by the state board; establishes reporting requirements for local boards in certain situations; and requires the state board to provide local boards with certain information.	SC		LI				LI	
<u>4SSB 49</u>	Vending Machines in Public Schools	P. Jones	This bill provides a list of allowed beverages and non-beverage items that may be sold in vending machines at public schools; and establishes compliance dates.	SC							
<u>SB 54</u>	Health Education Amendments	S. Urquhart	This bill directs the State Board of Education to: establish curriculum requirements that include instruction in human development, healthy relationships, and reproductive health, including a general discussion of contraception with its benefits and limitations; and select instructional materials for use in a general discussion of contraception with its benefits and limitations; imposes restrictions relating to health instruction; requires that instructional materials for health instruction provide opportunities for interaction between a student and the student's parent or guardian; and makes technical amendments.	SC		S	SC	SC	S	S	
<u>SB 55</u>	Authorization of Charter Schools by Higher Education Institutions	J. Adams	This bill defines terms; subject to approval by the State Board of Education, allows a board of trustees of a higher education institution to enter into an agreement with certain individuals or entities to establish and operate a charter school; allows a fee to be charged for a board of trustees' costs of providing oversight and technical support to a charter school; and makes technical amendments.	HC	N	O		S		O	
<u>SB 56</u>	School Reporting Amendments	K. Morgan	This bill modifies the state superintendent's annual report of the public school system by: requiring reporting of data on average class sizes calculated in accordance with State Board of Education rule; modifying the reporting of pupil-teacher ratios; and deleting the reporting of pupil-adult ratios; directs the State Board of Education to adopt rules for the calculation of average class size and specifies certain requirements for the rules; requires the State Board of Education, a school district, and a charter school to calculate and report average class size in a school performance report in accordance with rules adopted by the State Board of Education; and makes technical amendments.	HR	O	S W/C	S	S			

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SB 57	Local School Board Budget Procedures	D. Stowell	This bill modifies requirements regarding notice of a public hearing on a proposed school district budget; requires a local school board to post a proposed budget on the school district's Internet website 10 days prior to a public hearing on the proposed budget; and makes technical amendments.	PSH		S		S			
SB 59	At-risk Student Provisions		This bill requires a local school board or governing board of a charter school to enact certain gang prevention and intervention policies; and makes technical changes.	S		U W/C					
SB 63	New Public Employees' Tier II Contributory Retirement Act	D. Liljenquist	This bill defines terms; provides for a "Tier I" system or plan for which an employee is eligible to participate if the employee initially enters regular full-time employment before July 1, 2011; creates a "Tier II" retirement system and plan for which an employee is eligible to participate, if the employee initially enters regular full-time employment on or after July 1, 2011; provides that new employees may choose between the Tier II hybrid system or the Tier II DC plan except governors and legislators are only eligible for the Tier II DC plan; provides that the retirement benefits for Tier II hybrid system employees include: full retirement benefits after 35 years of service credit; 2.5% cost-of-living adjustments on the retirement allowance; a 1% multiplier for each year of service; a 401(k) employer contribution; a death benefit; and a disability benefit; provides that the participating employer shall contribute for Tier II employees the percentage of employee's compensation equal to the corresponding Tier I system amortization rate plus 8%; provides that the total Tier II contribution credited specifically on behalf of a Tier II employee is 8% of the employee's salary; closes for employees who initially enter employment beginning on or after July 1, 2011; the: Public Employees' Contributory Retirement System; Public Employees' Noncontributory Retirement System; and makes technical changes. This bill takes effect on July 1, 2010.	SC	SC	O		O		O	O
1SSB 63	New Public Employees' Tier II Contributory Retirement Act	D. Liljenquist	This bill defines terms; provides for a "Tier I" system or plan for which an employee is eligible to participate if the employee initially enters regular full-time employment before July 1, 2011; creates a "Tier II" retirement system and plan for which an employee is eligible to participate, if the employee initially enters regular full-time employment on or after July 1, 2011 and which includes a: New Public Employees' Tier II Hybrid Retirement System; and New Public Employees' Tier II Defined Contribution Plan; provides that all new public employees may only participate in a Tier II retirement system or plan; provides that new employees may choose between the Tier II hybrid system or the Tier II DC plan except governors and legislators are only eligible for the Tier II DC plan; provides that the retirement benefits for Tier II hybrid system employees include: full retirement benefits after 35 years of service credit; 2.5% cost-of-living adjustments on the retirement allowance; a 1% multiplier for each year of service; a 401(k) employer contribution; a death benefit; and a disability benefit; provides that the participating employer shall contribute for Tier II employees the percentage of employee's compensation equal to the corresponding Tier I system amortization rate plus 8%; provides that the total Tier II contribution credited specifically on behalf of a Tier II employee is 8% of the employee's salary; closes for employees who initially enter employment beginning on or after July 1, 2011, the Public Employees' Contributory Retirement System; Public Employees' Noncontributory Retirement System; provides for certain exclusions from membership in the Tier II DC plan; and makes technical changes. This bill takes effect on July 1, 2010.	S							
SB 66	Public School Extracurricular Activities for Home School and Private School Students	M. Madsen	This bill provides that a minor who is enrolled in a private school or a home school shall be eligible to participate in extracurricular activities at a public school; provides that, with certain exceptions, a private school or a home school student may only participate in extracurricular activities at the public school within whose boundaries the student's custodial parent or legal guardian resides or a public school from which the student withdrew; provides that, with certain exceptions, private school students and home school students shall be eligible for extracurricular activities at a public school consistent with eligibility standards for fully enrolled public school students; and makes technical changes.	SR							
SB 73	Sales and Use Tax Exemption Relating to Aircraft	C. Bramble	This bill defines terms; enacts a sales and use tax exemption for certain sales of tangible personal property to or by an aircraft maintenance, repair, and overhaul provider; and makes technical and conforming changes. This bill takes effect on July 1, 2010.	S							
SB 77	School District Leave Policies	M. Dayton	This bill prohibits a local school board from granting paid association leave; requires reimbursement to a school district of the costs for certain employees, including benefits, for the time that the employee is on unpaid association leave; and makes technical changes.	S		LI		O		O	O

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<u>1SSB 77</u>	School District Leave Policies	M. Dayton	This bill prohibits a local school board from granting paid association leave for certain employee association or union duties; requires reimbursement to a school district of the costs for certain employees, including benefits, for the time that exceeds 10 business days that the employee is on: unpaid association leave; or participating in certain paid association leave activities; defines terms; and makes technical changes.	S		LI					
<u>SB 87</u>	School Property Tax Equalization Revisions	G. Davis	This bill repeals the requirement to impose and distribute certain school capital outlay property tax revenues in school districts located within a first class county or divided school district; and makes technical changes. This bill has retrospective operation for a taxable year beginning on or after January 1, 2010.	SR		H					
<u>SB 89</u>	Legal Notice Amendments	S. Urquhart	This bill clarifies publication requirements for a notice subject to legal notice publication and the Open and Public Meetings Act; modifies county and municipal provisions relating to notice on the adoption or modification of land use ordinances; modifies an advertisement for bids publication requirement applicable to the Department of Transportation; and makes technical corrections.	SC							
<u>1SSB 89</u>	Legal Notice Amendments	S. Urquhart	This bill modifies provisions relating to public notices on websites; modifies provisions requiring the publication of notice of a public meeting or hearing so that the notice is published on the Utah Public Notice Website rather than a website for legal notices; clarifies publication requirements for a notice subject to legal notice publication and the Open and Public Meetings Act; adds a requirement to publish notice to the Utah Public Notice Website to certain provisions requiring the publication of notice; modifies an advertisement for bids publication requirement applicable to the Department of Transportation; and makes technical changes.	S							
<u>SB 92</u>	Amendments to Revenue and Taxation Title	C. Bramble	This bill modifies penalties related to a tax under Title 59, Chapter 7, Corporate Franchise and Income Taxes, or Title 59, Chapter 10, Individual Income Tax Act; addresses the amount of income tax required to be paid to avoid a penalty if a person makes estimated tax payments and receives an extension of time to file a return; enacts estimated tax payment requirements under Title 59, Chapter 10, Individual Income Tax Act, including: defining terms; establishing a required annual payment; establishing procedures and requirements for making an estimated tax payment; providing a penalty for failure to pay or underpaying an estimated tax payment; authorizing the State Tax Commission to waive, reduce, or compromise the penalty for failure to pay or underpaying an estimated tax payment; granting rulemaking authority to the State Tax Commission under certain circumstances; and requiring the State Tax Commission to summarize the estimated tax payment provisions in a conspicuous place on the State Tax Commission's website; and making technical and conforming changes.	SC							
<u>1SSB 92</u>	Amendments to Revenue and Taxation Title	C. Bramble	This bill modifies penalties related to a tax under Title 59, Chapter 7, Corporate Franchise and Income Taxes, or Title 59, Chapter 10, Individual Income Tax Act; provides that a person is not required to recalculate a tax for purposes of making an installment payment under certain circumstances; addresses the amount of income tax required to be paid to avoid a penalty if a person makes estimated tax payments and receives an extension of time to file a return; enacts estimated tax payment requirements under Title 59, Chapter 10, Individual Income Tax Act, including: defining terms; establishing a required annual payment; establishing procedures and requirements for making an estimated tax payment; providing a penalty for failure to pay or underpaying an estimated tax payment; authorizing the State Tax Commission to waive, reduce, or compromise the penalty for failure to pay or underpaying an estimated tax payment; granting rulemaking authority to the State Tax Commission under certain circumstances; and requiring the State Tax Commission to summarize the estimated tax payment provisions in a conspicuous place on the State Tax Commission's website; and making technical and conforming changes.	SC	S	S					
<u>SB 94</u>	Supplemental Benefit Amendments for Noncontributory Public Employees	D. Liljenquist	This bill removes for employees that began full-time employment with the state or its educational institutions on or after July 1, 1986, the requirement that 1.5% of salary be paid into the 401(k) account of state and educational institution employees in the Public Employees' Noncontributory Retirement System; requires a participating employer to determine whether an employee is eligible to receive the 1.5% of salary nonelective contribution; provides a maximum 12 month look-back period to correct errors in the nonelective contribution; and makes technical changes. This bill takes effect on July 1, 2010.	S	SC	H		O		O	O
<u>SB 110</u>	Revisor's Statute	M. Dayton	This bill modifies parts of the Utah Code to make technical corrections including eliminating references to repealed provisions, making minor wording changes, updating cross references, correcting numbering, and fixing errors that were created from the previous year's session.	PSH							H

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<u>SB 119</u>	Special Elections Modifications	H. Stephenson	This bill limits the date of a special election called by a local political subdivision to the first Tuesday after the first Monday in November for: a bond or debt issue; a voted leeway program; an initiative; a referendum; and a sales tax issue; and makes technical changes.	S		O				O	
<u>SB 132</u>	Higher Education Scholarship Amendments	J. Valentine	This bill changes the day on which requirements must be completed for a New Century scholarship; requires additional grade point average or test score requirements for New Century scholarship applicants; provides transition provisions for certain changes; requires a scholarship holder to enroll full-time at an institution by the fall term immediately following graduation; gives the State Board of Regents authority to impose application deadlines and other administrative procedures for the scholarships; provides that a student may not receive both a New Century scholarship and a Regents' scholarship; and makes technical changes.	S		S					
<u>SB 144</u>	Vision Screening Amendments	W. Niederhauser	This bill provides conditions when a licensed health care professional may participate in a school district's free vision screening program; provides that significantly reduced or free vision care provided to a low income or moderate income patient through a charitable nonprofit organization does not constitute private vision care for certain purposes; and makes technical changes.	SC	S	S				S	
<u>1SSB 144</u>	Vision Screening Amendments	W. Niederhauser	This bill provides conditions when a licensed health care professional may participate in a school district's free vision screening program; and makes technical changes.	S							
<u>SB 147</u>	Education Related Parent Organizations	M. Dayton	This bill amends references to parent organizations; requires the state superintendent of public instruction to appoint one person representing a parent organization as a member of an investment advisory committee for investment of Land Grant Trust Fund monies; and makes technical changes.	S		O				W	
<u>SB 150</u>	Reading Requirements for Student Advancement	K. Morgan	This bill generally prohibits a school district from promoting a student in first, second, and third grades to the next grade level if the child is not reading at or above grade level; provides certain student exemptions; requires school districts or charter schools to provide parental notice and reading intervention; and requires the State Board of Education to make rules.	S	O	O					
<u>SB 175</u>	School District Capital Outlay Equalization Amendments	B. McAdams	This bill requires a school district in a county of the first class that receives property tax revenue from a capital outlay levy equalization program to report to the Education Interim Committee each year; requires the Education Interim Committee to consider reports of receiving school districts when determining whether to reauthorize certain capital outlay levy equalization programs; subjects certain capital outlay levy equalization programs to legislative reauthorization; and makes technical changes. This bill provides retrospective operation for a taxable year beginning on or after January 1, 2010.	S							

USBE Comments:

HB 194, Grants for Math Teacher Training: USBE is concerned with the funding source with no guarantee the grants will be for Utah teachers or that grantees will be employed in Utah schools.